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*Sentence adjourned
to January 26, 2006 at
9:00 A.M. No further
applications for
adjournments will be
entertained.*

*Application to order
minutes is granted.*

December 8, 2005

So Ordered.

s/Reena Raggi

DSR 12/12/05

BY ECF

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ DEC 21 2005 ★

BROOKLYN OFFICE

Hon. Reena Raggi
United States Circuit Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: U.S. v. Hernandez
00 CR 1078(S-3)(RR)

Dear Judge Raggi:

I have spoken to Your Honor's courtroom deputy and secretary about my request for an adjournment of the resentencing now scheduled for December 12.

It is my understanding that the Court will allow one final adjournment for submissions by Mr. Hernandez.

I respectfully request that Your Honor consider January 24, 25, 26, 30 or 31 as the next appearance date. I am also available on January 27 after a previously scheduled 9:30 sentencing before Judge Johnson which should not take more than 30 minutes. Submissions will be made at least 7 days prior to the Court appearance if that is satisfactory with the Court.

I will be available for a full court day each day and will reserve the time for the resolution of this case. I am not available past 5:45 p.m. due to evening commitments Monday through Thursday.

So there is no misunderstanding, Mr. Hernandez is requesting a hearing on the uncharged homicides which are the subject of the Third Addendum and further requests the 3500 material referred to in AUSA Dugger's August letter.

I have spoken today with Court Reporter Driscoll who will supply the minutes of Mr. Wagner's sentencing.